

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MATTHEW DOMANN, individually and on
behalf of all those similarly situated,

Plaintiffs,

v.

SUMMIT CREDIT UNION, and DOES 1-100,

Defendants.

ORDER

18-cv-167-wmc

Plaintiff Matthew Domann brings this putative class action alleging, among other things, that defendant Summit Credit Union breached its contracts with its customers and violated the Electronic Fund Transfer Act, Regulation E, 12 C.F.R. § 1005.17. (Compl. (dkt. #1).) Presently before the court is plaintiffs' unopposed motion for class certification under Federal Rule of Civil Procedure 23 and for preliminary approval of a class action settlement agreement. (Dkt. #52.) In order to determine whether the proposed settlement is fair, reasonable, and adequate, the court needs more information. Specifically, not later than September 30, 2019, plaintiff should submit:

(1) Information showing how the parties determined that defendant's change to its overcharge practices will result in a savings to class members of \$400,000 a year. (Plaintiff's brief (dkt. # 53, at 13) cites to the declaration of Arthur Olsen, his database expert, but Olsen's declaration is not in the record);

(2) An explanation of why the settlement fund is being divided equally, when there are 16 times more members in the Consumer Sufficient Accounts Class than in the Business Account Class;

(3) An estimated dollar amount (or range) that each class member is likely to recover; and

(4) The Olsen Declaration referred to in plaintiff's supporting brief, along with a list of the putative class members identified by Olsen and the amount of overdraft fees incurred by each class member as a result of the practices challenged in this lawsuit.

Entered this 16th day of September, 2019.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge